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ALEXANDER YAROSHINSKY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE CONNETICS CORPORATION
SECURITIES LITIGATION

CASE NO. 3:07-cv-02940-SI

CLASS ACTION

This Document Relates To:

ALL ACTIONS.

**DECLARATION OF GERARD A.
TRIPPITELLI IN SUPPORT OF
ALEXANDER YAROSHINSKY'S REPLY
IN SUPPORT OF MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT**

Date: August 15, 2008
Courtroom: 10
Time: 9:00 a.m.
Judge: Honorable Susan Illston

1 I, Gerard A. Trippitelli, declare:

2 1. I am an attorney duly licensed to practice law in the State of California and in this
3 judicial district. I am a partner at the firm of DLA Piper US LLP, counsel of record for
4 Defendant ALEXANDER YAROSHINSKY ("Dr. Yaroshinsky") in connection with the above-
5 captioned matter. I have personal knowledge of all matters stated herein, and, if called, would so
6 testify.

7 2. Attached as Exhibit A to the Request for Judicial Notice in Support of Alexander
8 Yaroshinsky's Reply in Support Motion to Dismiss Plaintiff's Second Amended Complaint
9 ("Reply RJN") is a true and correct copy of the Order (1) Granting in Part and Denying in Part
10 Defendants' Motion to Dismiss Second Amended Complaint; (2) Ordering Discovery, *Middlesex*
11 *Ret. Sys. v. Quest Software Inc.*, Case No. CV 06-6863 DOC (RNBx) (C.D. Cal. July 10, 2008).

12 3. Attached as Exhibit B to the Reply RJN is a true and correct copy of excerpts of
13 the "Second Amended Complaint" in *Middlesex Ret. Sys. v. Quest Software Inc.*, Case No. CV
14 06-6863 DOC (RNBx) (C.D. Cal.), filed on January 18, 2008, attached hereto as Exhibit A..

15 4. Attached as Exhibit C to the Reply RJN is a true and correct copy of excerpts of
16 the "Amended and Consolidated Class Action Complaint on Behalf of Purchasers and Acquirers
17 of All Cendant Corporation and CUC International, Inc. Publicly Traded Securities Except
18 Prides" in *In re Cendant Corp. Litig.*, Case No. CIV.A. 98-1664 (D.N.J.), filed on December 14,
19 1998.

20 I declare under the penalty of perjury of the laws of the State of California that the
21 foregoing is true and correct and that this declaration was executed in San Diego, California on
22 July 18, 2008.

23
24 /s/ Gerard Trippitelli
GERARD TRIPPITELLI